Ong 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s):	Ping-Wen Ong
Case:	1J
Serial No.:	09/201,749
Filing Date:	December 1, 1998
Group:	3624
Examiner:	E. Colbert

Title: Method and Apparatus for Resolving Domain Names of Persistent Web Resources

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TRANSMITTAL OF APPEAL BRIEF

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GROUP 3600

Mail Stop Appeal Brief Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

(1) Appeal Brief (original and two copies); and

(2) Copy of Notice of Appeal, filed on October 15, 2003, with copy of stamped return postcard indicating receipt of Notice by PTO on October 17, 2003.

There is an additional fee of $330 due in conjunction with this submission under 37 CFR §1.17(c). Please charge **Deposit Account No. 50-0762** the amount of $330, to cover this fee. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error. A duplicate copy of this letter and two copies of the Appeal Brief are enclosed.

Respectfully,

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Date: December 17, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

5	Applicant(s):	Ping-Wen Ong
	Case:	11
	Serial No.:	09/201,749
	Filing Date:	December 1, 1998
	Group:	3624
10	Examiner:	Ella Colbert

Title: Method and Apparatus for Resolving Domain Names of Persistent Web Resources

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APPEAL BRIEF

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GROUP 3600

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

20   Sir:

      Applicants hereby appeal the final rejection dated August 14, 2003, of claims 1 through 28 of the above-identified patent application.

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25   <u>REAL PARTY IN INTEREST</u>

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      The present application is assigned to Lucent Technologies Inc., as evidenced by an assignment recorded on February 25, 1999 in the United States Patent and Trademark Office at Reel 9805, Frame 0561. The assignee, Lucent Technologies Inc., is the real party in interest.

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<u>RELATED APPEALS AND INTERFERENCES</u>

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      A Notice of Appeal was filed on June 12, 2002 in related United States Patent Application Serial No. 09/201,751 (Attorney Docket No. Ong 9) and an Appeal Brief was filed on October 21, 2002. An Examiner's Answer was issued on January 14,

35   2003 and a Reply Brief was filed on March 14, 2003. A Notice of Appeal was filed on January 24, 2002 in related United States Patent Application Serial No. 09/201,752

(Attorney Docket No. Ong 8) and an Appeal Brief was mailed on April 29, 2002. A new Office Action was mailed by the Examiner on August 1, 2002 in response to the Appeal Brief. A second Notice of Appeal was filed on March 12, 2003 in that related application and an Appeal Brief was submitted on May 19, 2003. An Examiner's Answer was mailed on July 11, 2003 and a Reply Brief was submitted on September 9, 2003. A Notice of Appeal was also filed on March 12, 2003 in related United States Patent Application Serial No. 09/342,408 (Attorney Docket No. Ong 12) and an Appeal Brief was submitted on May 19, 2003. A Notice of Appeal was also filed on March 12, 2003 in related United States Patent Application Serial No. 10/099,121 (Attorney Docket No. Ong 15) and an Appeal Brief was submitted on May 19, 2003. An Examiner's answer was mailed on July 11, 2003 and a Reply Brief was submitted on September 9, 2003.

STATUS OF CLAIMS

Claims 1 through 28 are pending in the above-identified patent application. Claims 1 through 28 remain rejected under 35 U.S.C. §103(a) as being unpatentable over Ingrassia, Jr. et al. (United States Patent No. 5,941,957) in view of Bohannon et al. (United States Patent No. 6,125,371).

STATUS OF AMENDMENTS

There have been no amendments filed subsequent to the final rejection.

SUMMARY OF INVENTION

The present invention is directed to a method and apparatus for providing persistent storage of Web resources. Uniform Resource Locators ("URLs") that identify Web resources are augmented to include a time stamp. A web browser and a web server are disclosed that accommodate a time stamp parameter and allow a user to refer to any Web address with a precise target date. The disclosed Web browser can optionally include a mechanism to facilitate the specification of the desired date and time, or the user can manually append the time stamp to the URL indicated in the "Location" window of the browser. The persistent Web servers (i) receive URLs containing a time stamp, (ii) extract the time stamp, (iii) retrieve the correct Web page from the archive, and (iv)

return the requested page to the client. The persistent Web servers include a persistent archive for storing all of the versions of Web resources that will be persistently available to Web users.

ISSUE PRESENTED FOR REVIEW

Whether claims 1 through 28 are properly rejected under 35 U.S.C. §103(a) as being unpatentable over Ingrassia, Jr. et al. in view of Bohannon et al.

GROUPING OF CLAIMS

The rejected claims do not stand and fall together. More particularly, for the reasons given below, Applicant believes that each of the dependent claims 2/9/17/23 and 7/14/21/27 provide independent bases for patentability apart from the rejected independent claims.

ARGUMENT

Independent claims 1, 8, 15, 16, 22, and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ingrassia in view of Bohannon.

Regarding claim 1, the Examiner asserts that Ingrassia discloses a method that receives a request that includes a time-stamp (citing column 7, lines 30-38 and 57-65) and identifying as a function of the creation time-stamp a machine storing a version of the electronic document having a creation time corresponding to the time-stamp. (citing column 8, lines 9-22). The Examiner acknowledges that Ingrassia did not teach "transmitting the electronic document corresponding to the requested time-stamp from the identified machine," but asserts that Bohannon discloses this limitation.

Claims 1, 8, 15, 16, 22, and 28 emphasize that "creation time-stamps" are associated with a version of a document and indicate the creation time of the version and "requested time-stamps" are associated with a user request and indicate the time associated with a desired version of the electronic document. While these values may often be the same, the version of the document with the most recent creation time-stamp preceding the requested time-stamp is sent if a version of the electronic document does not exist having a creation time-stamp that precisely matches the requested time-stamp.

Applicant notes that Ingrassia does not disclose or suggest "receiving a request for an electronic document that includes a time-stamp indicating a *creation time* of a desired version of a multiple-version document," as required by each of the independent claims of the present invention. Rather, Ingrassia's time-stamps identify when a given electronic

5   document is *loaded or unloaded* by a given browser with the *same version* of a document having *multiple time-stamps*. (Col. 7, line 59; Col. 8, lines 16 and 42. See also, Col. 19, line 61).

In addition, Ingrassia does not disclose or suggest "identifying as a function of the time-stamp, a machine storing a version of said electronic document for a

10   time period corresponding to said time-stamp," as further required by each of the independent claims of the present invention.

Furthermore, the time-stamps in Ingrassia are <u>issued</u> by the central Web Tracking and Synching (WTS) server 144, and are not <u>received</u> by the server with a request for the electronic document *from a client* with the time-stamp identifying a

15   particular version, as required by each of Applicant's independent claims.

The Examiner also asserts that Bohannon teaches "transmitting the electronic document corresponding to the requested time-stamp from the identified machine (col. 4, lines 64-67, and col. 5, lines 1-18)."

Applicant notes that Bohannon et al. is directed to a database management

20   system, and in particular, to techniques for aging versions of data records for deletion purposes to increase memory capacity. While Bohannon assigns time stamps to data records in a database, it is for the purpose of deleting records having multiple versions in response to the time stamp. The time stamping appears to be a process that is initiated by the Bohannon system upon an update to an existing data record. This process is strictly

25   internal to the Bohannon system. There is no suggestion that such time stamps are even provided or known to the user and there certainly is no suggestion that such time stamps are employed in a *user request* for a data record to identify a particular version.

By contrast, Applicant's independent claims 1, 8, 15, 16, 22, and 28 require receiving a request for an electronic document that <u>includes a time-stamp</u>

30   indicating a *creation time* of a desired version of a multiple-version document and require

transmitting the electronic document from said identified machine or transmitting an indication of said identified machine corresponding to the requested time-stamp.

Thus, Ingrassia and Bohannon, alone or in combination, do not disclose or suggest receiving a <u>request</u> for an electronic document <u>that includes a time-stamp</u>

5   <u>indicating a *creation time* of a desired version of a multiple-version document</u> and transmitting the electronic document from said identified machine or transmitting an indication of said identified machine corresponding to the requested time-stamp, as required by independent claims 1, 8, 15, 22, and 28.

Bohannon et al. is also directed to the non-analogous field of a database

10   management system that employs techniques for *aging* versions of data records for *deletion* purposes to increase memory capacity. The present invention is not interested in increasing memory capacity by deleting any version of a multiple version document. Actually, quite the opposite is true. The present invention is directed toward maintaining such multiple versions, regardless of the memory consumed, and making them accessible

15   to a user. The present invention provides a convenient mechanism for a user to uniquely identify a particular one of such multiple versions. Thus, a person of ordinary skill in the art of the present invention would not look to Bohannon et al. for a solution to the problem of supplementing an address (or file name) so that it differentiates versions of a multiple version document.

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Conclusion

In view of the foregoing, the invention, as claimed in claims 1 through 28, cannot be said to be either taught or suggested by Ingrassia, Jr. et al. and Bohannon et al., alone or in combination. Accordingly, Applicant respectfully requests that the rejection

25   of claims 1 through 28 under 35 U.S.C. § 103(a) be withdrawn.

Dependent Claims

Claims 2/9/17/23 and 7/14/21/27 specify a number of limitations providing additional bases for patentability. Specifically, the Examiner rejected claims

30   2/9/17/23 and 7/14/21/27 under 35 U.S.C. §103(a) as being unpatentable over Ingrassia in view of Bohannon. Each of claims 2/9/17/23 requires that an address identifying the

electronic document includes said creation time-stamp while each of claims 7/14/21/27 requires the requested time-stamp to be a relative time-stamp.

Regarding claim 2, the Examiner asserts that Ingrassia teaches an address identifying the document includes the creation time-stamp (col. 8, lines 6-47). Applicant notes that, in the text cited by the Examiner, the *only* time-stamps disclosed are related to either an unloading time or a loading time that indicate when a command was received.

Thus, Ingrassia does not disclose or suggest an address identifying a document that includes a creation time-stamp indicating a *creation time* of a corresponding version of the document, as required by dependent claim 2.

Regarding claim 7, the Examiner asserts that Ingrassia teaches that the requested time-stamp is a relative time-stamp (col. 7, lines 57-65). In the text cited by the Examiner, Ingrassia teaches that, "in response to the command from Master Applet 126, WTS server 144 creates a session for browser 114A based on the unique ID, and issues a time stamp *(loading time)* indicating the time at which the command was received, and stores the URL and time stamp of web page 204 into the session created for browser 114." (Emphasis added.) Thus, the time stamp is a loading time, not a creation time. By contrast, Applicant notes that claim 7 is dependent on claim 1 which includes the limitation "identifying as a function of said creation time-stamp and said requested time-stamp *a machine storing a version of said electronic document having a creation time corresponding to said requested time-stamp.*" Thus, the relative time-stamp of claim 7 corresponds to a *creation time*, not a loading time.

Consequently, Ingrassia does not disclose or suggest that the requested time-stamp is a relative time-stamp wherein the time-stamp corresponds to a creation time, as required by claim 7.

The remaining rejected dependent claims are believed allowable for at least the reasons identified above with respect to the independent claims.

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The attention of the Examiner and the Appeal Board to this matter is appreciated.

Respectfully,

Date: December 17, 2003

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